

**MINUTES OF THE MEETING OF THE
WEBER RIVER WATER RIGHTS COMMITTEE
(Exclusive of the Ogden River)**

Pursuant to the call of the Chairman, a meeting of the Weber River Water Rights Committee was held at Weber Basin Water Conservancy District headquarters, at 2837 East Highway 193, Layton, Utah, on Wednesday, **January 21, 2009**. The meeting was called to order by Chairman D.A. Osguthorpe, at 10:00 a.m.

Present:

Chairman D. A. Osguthorpe
Committeeman Connely Baldwin
Committeeman Theo Cox
Committeeman Tage Flint
Committeeman Dennis Marchant
Committeeman Stephen Osguthorpe
Committeeman D. Pete Page
Committeeman Scott Paxman
Committeeman Ivan Ray
Committeeman Ed Sorenson
Committeeman Dee Waldron
Committeeman Dennis Wright

Excused:

Committeeman Keith Steed

E. Blaine Johnson, Past Commissioner
Sherrie Mobley, Secretary
Jim Wells, Commissioner

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**WATER RIGHTS
SALT LAKE**

**I
APPROVAL OF MINUTES OF MEETING HELD DECEMBER 12, 2008**

The minutes of the meeting held December 12, 2008 were presented for review and approval. There were two corrections noted. One was the deletion of a portion of a sentence regarding meter readings at Wanship that was incorrect. The second correction was in relation to the committeemen whose terms expire this year. The names included those whose terms expired last year, so the correct names were listed.

Motion was made by Ed Sorenson, seconded by Tage Flint and passed, approving the minutes of the meeting held December 12, 2008 with the corrections noted.

**II
COMMISSIONER'S REPORT**

Chairman Osguthorpe requested that E. Blaine Johnson, the past Weber River Commissioner, present his annual report to the members of the Committee. Commissioner Johnson stated 2008 was his final year as Commissioner, after 47 years.

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He then extended appreciation for his five deputies: Alene Marchant, Terry Murphy, David Wright, Erma Carter, and Stan Anderson. He said his deputy commissioners have served the river system well, and he very much appreciates all they have done.

Commissioner Johnson reported the 2008 water year was very good with runoff causing no flooding problems. He then gave the following data:

Smith & Morehouse filled June 10 (Oct. 6 – 2,220 a.f.)
Echo full on paper May 17
Wanship full June 13 (Oct. 15 – 39,920 a.f.)
Echo full May 30 (Oct. 5 – 20,010 a.f.)
Lost Creek full May 26 (Oct. 16 – 13,190 a.f.)
East Canyon full May 21 (Oct. 15 – 30,600 a.f.)
Pineview exchange began June 30

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| July 1 | Weber Basin on storage |
| July 2 | Echo stock water being sent to Provo River |
| July 3 | Deer Creek application right cut off |
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| October 9 | Pineview exchange shut off |

Commissioner Johnson stated many things have changed over his 47 year career. He said the size of the Weber River Distribution System annual report has increased from 150 pages to 188 pages, 1977 was the only year Echo did not fill to full credit, and the two extremely high flooding years were 1983 and 1984. He asked Commissioner Wells to provide storage levels.

Commissioner Wells said snowtel is currently at 82%. He reported the following storage levels:

Causey - 3,874 a.f. – 60% full as of December 31
East Canyon – 34,050 a.f. – 71% full as of January 19
Echo – 41,880 a.f. – 50% full as of January 19
Lost Creek – 13,380 a.f. – 75% full as of December 31
Pineview – 53,970 a.f. – 50% full as of December 31
Wanship – 44,160 a.f. – 75% full as of January 19
Willard – 77,418 a.f. – 40% full as of December 31
Smith & Morehouse – 2,508 a.f. – 30% as of December 31

III CHAIRMAN'S REPORT

Chairman Osguthorpe reported in 2008 the Committee held six productive meetings. He said one of the meetings consisted of traveling to Park City to view snowpack conditions. During another meeting the committee visited the slurry bentonite wall constructed at A.V. Watkins Dam (Willard Bay). Chairman Osguthorpe stated the current, stressed economy has also created some problems relating to foreclosures of water rights which we will try to keep informed of.

Chairman Osguthorpe completed his report by extending his appreciate for the service each committee member gives and expressed appreciation for the commissioners and deputies.

IV STATEMENTS OF RECEIPTS AND DISBURSEMENTS

Sherrie Mobley presented the Statement of Receipts and Disbursements for 2008. Motion was made by Dee Waldron, seconded by Ivan Ray and passed, accepting the 2008 Statement of Receipts and Disbursements as read by the Secretary.

V PROPOSED BUDGET FOR 2009

Chairman Osguthorpe asked the Secretary to present the Proposed Budget for 2009. Before she began, Dennis Wright expressed his thoughts about the additional readings assigned to the Oakley deputy, which were originally assigned to the Snyderderville deputy. He said since we will be paying the Oakley deputy to read these meters, it would make sense to decrease the Snyderderville deputy's salary by the same amounts. Discussion continued.

Dennis Marchant expressed his concerns about the various Mountain Regional readings that are not included in the Commissioner's annual report. Tage Flint stated this has been an ongoing concern, and it would be nice to see all the groundwater diversions in the report. The Committee members agreed the River Commissioner will do whatever it takes to ensure these readings are included in next year's report so Mountain Regional's total water usage can be calculated.

Sherrie then explained the proposed budget for 2009 reflects the following changes from last year:

- 1) A 4.0% increase in the commissioner's salary which includes a cost-of-living increase and a small merit increase.
- 2) A 3.25% cost-of-living adjustment for all deputies.
- 3) Merit raises of \$300.00 for all deputies.
- 4) Participation in the stream gauging programs at same rate as the 2008 budget which is \$3,625 per unit for a total of \$7,250 for the two units.

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- 5) Delete \$700 mobile telephone expense from Committee budget and increase item 1-H (on the Weber portion) by \$600 and item 1-G (on the Park City portion) by \$100.
- 6) Adjusted auto expense to reflect IRS allowable mileage rate which is currently \$0.55 per mile.
- 7) Increase Oakley deputy's salary by \$400, plus additional mileage of \$264, for additional work assigned to her for reading some of Mountain Regional Water's meters.
- 8) Decrease Snyderville Basin deputy's salary by \$400.00, and decrease her mileage by \$264, since the Oakley deputy will be completing some of the readings originally assigned to her.

Motion was made by Tage Flint, seconded by Ed Sorenson and passed, accepting the 2009 budget as presented, as to form, with the changes noted above.

**VI
ELECTION OF COMMITTEEMAN**

Chairman Osguthorpe stated the next order of business was the election of the committeemen whose terms expire. Sherrie Mobley reported the committeemen with expiring terms are: Dee Waldron (District # 2), Theo Cox (District # 4), Connely Baldwin (District # 8), Ivan Ray (District # 3) and D. A. Osguthorpe (District # 9).

Motion was made by Dennis Marchant, seconded by Scott Paxman and passed by acclamation, to retain all committeemen, listed above, to three year terms.

**VII
SELECTION OF EXECUTIVE COMMITTEE AND OFFICERS**

Chairman Osguthorpe stated it is necessary the Committee now elect the officers and appoint the Executive Committee for the coming year. Sherrie Mobley reported at the present time, all members of the Committee are on the executive committee.

Motion was made by Ivan Ray, seconded by Tage Flint and passed unanimously, electing D.A. Osguthorpe as Chairman, Theo Cox as Vice Chairman and Sherrie Mobley as Secretary of the Weber River Water Rights Committee for 2009 and accepting all committee members remain part of the executive committee.

**VIII
STATEMENT OF STATE ENGINEER**

Chairman Osguthorpe reported this item will be deferred to our 1:00 p.m. meeting.

**IX
OTHER BUSINESS**

There was no other business to discuss.

**X
ADJOURNMENT**

There being no further business to come before the meeting, the same was adjourned at 11:30 a.m.

/s/ Sherrie Mobley, Secretary

**MINUTES OF THE ANNUAL MEETING OF THE
WEBER RIVER DISTRIBUTION SYSTEM
JANUARY 21, 2009, 1:00 P.M.
LAYTON, UTAH**

The annual meeting of the Weber River Distribution System convened at Weber Basin Water Conservancy District headquarters, 2837 East Highway 193, Layton, Utah, at 1:00 p.m., on Wednesday, January 16, 2008.

Present:

Lee Sim, State Division of Water Rights
Ben Anderson, State Division of Water Rights
Ross Hansen, State Division of Water Rights

E. Blaine Johnson, Weber River Distribution System
Jim Wells, Weber River Distribution System

D. A. Osguthorpe, Weber River Water Rights Committee
Connely Baldwin, Weber River Water Rights Committee
Theo Cox, Weber River Water Rights Committee
Tage Flint, Weber River Water Rights Committee
Dennis Marchant, Weber River Water Rights Committee
Pete Page, Weber River Water Rights Committee
Scott Paxman, Weber River Water Rights Committee
Ivan Ray, Weber River Water Rights Committee
Ed Sorenson, Weber River Water Rights Committee
Dee Waldron, Weber River Water Rights Committee
Dennis Wright, Weber River Water Rights Committee
Sherrie Mobley, Weber River Water Rights Committee

Jeff Gittins, Smith Hartvigsen

**I
HEARING THE 2008 MINUTES**

The meeting was called to order by Chairman D.A. Osguthorpe of the Weber River Water Rights Committee. The minutes of January 16, 2008 were read by Sherrie Mobley. Two corrections were noted. There were no other changes or corrections.

Motion was made by Scott Paxman, seconded by Dee Waldron and passed, approving the minutes of the annual meeting of the Weber River Distribution System held January 16, 2008, with the two changes noted.

II HEARING THE 2007 COMMISSIONERS REPORT

Chairman Osguthorpe requested that E. Blaine Johnson, the recently retired Weber River Commissioner, present his annual report. Commissioner Johnson stated 2008 was his final year as Commissioner, after 47 years. He then extended appreciation for his five deputies: Alene Marchant, Terry Murphy, David Wright, Erma Carter, and Stan Anderson. He said his deputy commissioners have served the river system well, and he very much appreciates all they have done.

Commissioner Johnson reported the 2008 water year was very good with runoff causing no flooding problems. He then gave the following data:

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After discussion ceased, motion was made by Dennis Wright, seconded by Ivan Ray and passed, approving the Commissioner's 2008 Annual Report.

III

RECOMMENDING A WATER COMMISSIONER FOR THE NEXT TERM

Chairman Osguthorpe reported the next item of business is recommending a water commissioner for the next term. He stated Jim Wells was hired to replace Commissioner Johnson and has been training with him throughout the past year. He welcomed any comments from the committee.

Motion was made by Ivan Ray, seconded by Ed Sorenson and passed, recommending Jim Wells be appointed the Weber River Commissioner for the next term.

IV

REPORT FROM THE DIVISION OF WATER RIGHTS

Ben Anderson introduced himself as the individual who would be providing support to the River Commissioner in managing the Weber River system and any administration issue or issuance of state engineer orders.

Lee Sim extended his appreciation to Commissioner Johnson for the many years of service he has provided to the water users on the Weber River system. He then presented Blaine with a letter of appreciation from the Division of Water Rights.

V

HEARING THE 2008 FINANCIAL REPORT

Lee Sim presented the 2008 financial report and discussed it in detail. He made particular note to any items over budget. He reported the Division of Water Rights recently sent a letter to the Committee pertaining to its minimum assessment of \$20. He said since it costs at least \$15 in administrative costs to process each assessment, their office is asking us to consider increasing the minimum assessment to \$40. Lee further reported that their office will only try to collect delinquencies of \$200 or more and can only go back four years. He said unless the minimum assessment is \$40, it will never reach a delinquency high enough to collect.

After discussion ceased, motion was made by Dennis Wright, seconded by Scott Paxman and passed, adopting the 2008 Financial Report as presented.

**VI
REVIEWING DELINQUENT ASSESSMENT ACCOUNTS**

Lee Sim reviewed the delinquent assessments. He stated the delinquencies total \$2,413.64 which is slightly less than last year.

**VII
PREPARING A BUDGET OF SALARIES
AND OTHER NECESSARY EXPENSES**

Chairman Osguthorpe asked Sherrie Mobley to present the Proposed Budget for 2009. Sherrie explained the proposed budget for 2009 reflects the following changes:

- 1) A 4.0% increase in the commissioner's salary which includes a cost-of-living increase and a small merit increase.
- 2) A 3.25% cost-of-living adjustment for all deputies.
- 3) Merit raises of \$300.00 for all deputies.
- 4) Participation in the stream gauging programs at same rate as the 2008 budget which is \$3,625 per unit for a total of \$7,250 for the two units.
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- 8) Decrease Snyderville Basin deputy's salary by \$400.00, and decrease her mileage by \$264, since the Oakley deputy will be completing some of the readings originally assigned to her.

After discussion ceased, motion was made by Tage Flint, seconded by Dennis Wright and passed, accepting the 2009 Budget as presented.

**VIII
SETTING THE DISTRIBUTION SYSTEM ASSESSMENT**

Motion was made by Scott Paxman, seconded by Ed Sorenson and passed, setting the distribution system assessment at an amount equal to the total budget, including the State's administration assessment.

**IX
SELECTING NEW DISTRIBUTION SYSTEM CHAIRMAN
AND COMMITTEE MEMBERS IF NECESSARY**

Sherrie Mobley reported at an earlier meeting, all committee members whose terms expired in 2009 were appointed to another three year term. He said the same officers who served in 2008 were elected for 2009, and the executive committee includes all members of the committee.

**X
ADJOURNMENT**

There being no further business to come before the meeting, the same was adjourned at 2:10 p.m.

/s/ Sherrie Mobley, Secretary